

1 AMENDMENT TO HOUSE BILL 4023

2 AMENDMENT NO. _____. Amend House Bill 4023 by replacing
3 everything after the enacting clause with the following:

4 "Section 1. Short title. This Act may be cited as the
5 Local Planning Technical Assistance Act.

6 Section 5. Purposes. The purposes of this Act are to:

7 (1) Provide technical assistance to Illinois local
8 governments that request it for the development of local
9 planning ordinances and regulations.

10 (2) Encourage Illinois local governments to engage
11 in planning, regulatory, and development approaches that
12 promote and encourage comprehensive planning.

13 (3) Provide demonstration grants to units of local
14 government; planning agencies; educational institutions;
15 and other not-for-profit organizations and associations
16 serving neighborhoods, communities, and regions of
17 Illinois to prepare and implement comprehensive plans,
18 zoning ordinances, subdivision controls, other land
19 development regulations, and development incentives that
20 promote and encourage comprehensive planning.

21 (4) Prepare and distribute model ordinances,
22 manuals, and other technical publications that promote

1 and encourage comprehensive planning.

2 (5) Research and report upon the results and impact
3 of activities funded by the demonstration grants.

4 (6) Provide demonstration grants to units of local
5 government; planning agencies; educational institutions;
6 and other not-for-profit organizations and associations
7 serving neighborhoods, communities, and regions of
8 Illinois to engage in pre-development activities for
9 projects that promote and encourage comprehensive
10 planning. The activities could include market feasibility
11 studies, architectural renderings, and environmental
12 assessments.

13 (7) Support local planning efforts in communities
14 with limited financial means.

15 (8) Support planning efforts that include one or
16 more units of local government; planning agencies;
17 educational institutions; and other not-for-profit
18 organizations and associations serving neighborhoods,
19 communities, and regions of Illinois working together.

20 Section 10. Definitions. In this Act:

21 "Comprehensive plan" means a regional plan adopted under
22 Section 5-14001 of the Counties Code, an official
23 comprehensive plan adopted under Section 11-12-6 of the
24 Illinois Municipal Code, or local land resource management
25 plan adopted under Section 4 of the Local Land Resource
26 Management Planning Act.

27 "Department" means the Department of Commerce and
28 Community Affairs.

29 "Land development regulation" means any development or
30 land use ordinance or regulation of a county or municipality
31 including zoning and subdivision ordinances.

32 "Local government" or "unit of local government" means
33 any city, village, incorporated town, or county.

1 "Subsidiary plan" means any portion of a comprehensive
2 plan that guides development, land use, or infrastructure for
3 a county or municipality or a portion of a county or
4 municipality.

5 Section 15. Technical assistance grants. The Department
6 may make grants to units of local government to develop,
7 update, administer, and implement comprehensive plans,
8 subsidiary plans, land development regulations, development
9 incentives, market feasibility studies, and environmental
10 assessments that promote and encourage the principles of
11 comprehensive planning. Comprehensive planning includes
12 appropriately and proportionally weighing the elements listed
13 in Section 25 of this Act and including them within the
14 comprehensive plan.

15 The Department may adopt rules establishing standards and
16 procedures for determining eligibility for the grants,
17 regulating the use of funds under the grants, and requiring
18 periodic reporting of the results and impact of activities
19 funded by the grants. No individual grant under this Act may
20 have duration of more than 24 months.

21 The Department, in the determination of grantees, may
22 also seek an even balance of grants within metropolitan
23 regions.

24 Section 20. Model ordinances and technical publications.
25 The Department may prepare model ordinances, manuals, and
26 other technical publications that are founded upon and
27 promote comprehensive planning. The Department may make all
28 possible use of existing model ordinances, manuals, and other
29 technical publications that promote and encourage
30 comprehensive planning and that were prepared by regional
31 planning agencies and commissions, councils of government,
32 and other organizations.

1 The Department may employ or retain private
2 not-for-profit entities, regional planning agencies and
3 commissions, councils of government, and universities to
4 advise, prepare, or conduct the preparation of the model
5 ordinances, manuals, and other technical publications.

6 The Department may distribute any model ordinances,
7 manuals, and other technical publications prepared under this
8 Section to all counties and municipalities in this State,
9 regional planning agencies and commissions in this State, the
10 Illinois State Library, all public libraries in this State,
11 and to other organizations and libraries at the Department's
12 discretion.

13 Section 25. Use of technical assistance grants.

14 (a) Technical assistance grants may be used to write or
15 revise a local comprehensive plan. A comprehensive plan
16 funded under Section 15 of this Act must address, but is not
17 limited to addressing, each of the following elements:

18 (1) Issues and opportunities. The purpose of this
19 element is to state the vision of the community, identify
20 the major trends and forces affecting the local
21 government and its citizens, set goals and standards, and
22 serve as a series of guiding principles and priorities to
23 implement the vision.

24 (2) Land use and natural resources. The purpose of
25 this element is to translate the vision statement into
26 physical terms; provide a general pattern for the
27 location, distribution, and characteristics of future
28 land uses over a 20-year period; and serve as the element
29 of the comprehensive plan upon which all other elements
30 are based. The land use element must be in text and map
31 form. It must include supporting studies on population,
32 the local economy, natural resources, and an inventory of
33 existing land uses.

1 (3) Transportation. The purpose of this element is
2 to consider all relevant modes of transportation,
3 including mass transit, air, water, rail, automobile,
4 bicycle, and pedestrian modes of transportation;
5 accommodate special needs; establish the framework for
6 the acquisition, preservation, and protection of existing
7 and future rights-of-way; and incorporate transportation
8 performance measures.

9 (4) Community facilities (schools, parks, police,
10 fire, and water and sewer). The purpose of this element
11 is to provide community facilities; establish levels of
12 service; ensure that facilities are provided as needed;
13 and coordinate with other units of local government that
14 provide the needed facilities.

15 (5) Telecommunications infrastructure. The purpose
16 of this element is to coordinate telecommunications
17 initiatives; assess short-term and long-term needs,
18 especially regarding economic development; determine the
19 location and capacity of existing infrastructure;
20 encourage investment in the most advanced technologies;
21 and establish a framework for providing reasonable access
22 to public rights-of-way.

23 (6) Housing. The purpose of this element is to
24 document the present and future needs for housing within
25 the jurisdiction of the local government, including
26 affordable housing and special needs housing; take into
27 account the housing needs of a larger region; identify
28 barriers to the production of housing, including
29 affordable housing; assess the condition of the local
30 housing stock; and develop strategies, programs, and
31 other actions to address the needs for a range of housing
32 options.

33 (7) Economic development. The purpose of this
34 element is to coordinate local economic development

1 initiatives with those of the State; ensure that adequate
2 economic development opportunities are available;
3 identify the strategic competitive advantages of the
4 community and the surrounding region; assess the
5 community's strengths and weaknesses with respect to
6 attracting and retaining business and industry; and
7 define the municipality's and county's role.

8 (8) Natural resources. The purpose of this element
9 is to identify and define the natural resources in the
10 community with respect to water, land, flora, and fauna;
11 identify the land and water areas in relation to these
12 resources; assess the relative importance of these areas
13 to the needs of the resources; and identify mitigation
14 efforts that are needed to protect these resources.

15 (9) Public participation. This element must
16 include a process for engaging the community in outreach;
17 the development of a sense of community; a consensus
18 building process; and a public education strategy.

19 (10) Comprehensive plans may also include the
20 following: natural hazards; agriculture and forest
21 preservation; human services; community design; historic
22 preservation; and the adoption of subplans, as needed.
23 The decision on whether to include these elements in the
24 comprehensive plan shall be based on the needs of the
25 particular unit of local government.

26 (b) The purpose of this Section is to provide guidance
27 on the elements of a comprehensive plan but not to mandate
28 content.

29 Section 30. Consistency of land use regulations and
30 actions with comprehensive plans.

31 (a) If a municipality or county is receiving assistance
32 to write or revise a comprehensive plan, for 5 years after
33 the effective date of the plan, land development regulations,

1 including amendments to a zoning map, and any land use
2 actions shall be consistent with the new or revised
3 comprehensive plan. "Land use actions" include preliminary or
4 final approval of a subdivision plat, approval of a planned
5 unit development, approval of a conditional use, granting a
6 variance, or a decision by a unit of local government to
7 construct a capital improvement, acquire land for community
8 facilities, or both.

9 (b) Municipalities and counties that have adopted
10 official comprehensive plans in accordance with Division 12
11 of Article 11 of the Illinois Municipal Code or Section
12 5-14001 of the Counties Code may be eligible for additional
13 preferences in State economic development programs, State
14 transportation programs, State planning programs, State
15 natural resources programs, and State agriculture programs.

16 Section 35. Educational and training programs. The
17 Department may provide educational and training programs in
18 planning, regulatory, and development practices and
19 techniques that promote and encourage comprehensive planning,
20 including, but not limited to, the use and application of any
21 model ordinances, manuals, and other technical publications
22 prepared by the Department.

23 The Department may employ or retain not-for-profit
24 entities, regional planning agencies and commissions, and
25 universities to operate or conduct, or assist in the
26 operation or conduct of, the programs.

27 Section 40. Annual report.

28 (a) The Department may, at least annually but more often
29 at its discretion, report in writing to the Governor and
30 General Assembly on:

31 (1) The results and impacts of county and municipal
32 activities funded by the grants authorized by this Act.

1 (2) The distribution of the grants.

2 (3) Model ordinances, manuals, and other technical
3 publications prepared by the Department.

4 (4) Educational and training programs provided by
5 the Department.

6 (b) The report may also be provided to all counties and
7 municipalities in this State, regional planning agencies and
8 commissions in this State, the Illinois State Library, all
9 public libraries in this State, and to other organizations
10 and libraries upon request at the Department's discretion.

11 Section 45. Local Planning Fund. The Department may use
12 moneys, subject to appropriation, in the Local Planning Fund,
13 a special fund created in the State treasury, to implement
14 and administer this Act. If funds are not appropriated, the
15 Department is not required to carry forth the requirements of
16 this Act but may, at its discretion, use funds from other
17 sources.

18 Section 900. The State Finance Act is amended by adding
19 Section 5.570 as follows:

20 (30 ILCS 105/5.570 new)

21 Sec. 5.570. The Local Planning Fund.

22 Section 999. Effective date. This Act takes effect
23 upon becoming law."